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U.S. Citizenship  
and Immigration  
Services

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MAY 13 2004

FILE: LIN 02 276 54764 Office: NEBRASKA SERVICE CENTER Date:

IN RE: Petitioner:  
Beneficiary:

PETITION: Petition for a Nonimmigrant Worker Pursuant to Section 101(a)(15)(H)(i)(b) of the  
Immigration and Nationality Act, 8 U.S.C. § 1101(a)(15) (H)(i)(b)

ON BEHALF OF PETITIONER:

SELF REPRESENTED

INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. All documents have been returned to  
the office that originally decided your case. Any further inquiry must be made to that office.

*Mari Johnson*

*for* Robert P. Wiemann, Director  
Administrative Appeals Office

**DISCUSSION:** The service center director denied the nonimmigrant visa petition and the matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

The petitioner operates a residential facility for children and adults with mental disabilities. It seeks to employ the beneficiary as a resident coordinator, and endeavors to classify her as a nonimmigrant worker in a specialty occupation pursuant to section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1101(a)(15)(H)(i)(b).

As stated in 8 C.F.R. § 103.3(a)(1)(v), an appeal shall be summarily dismissed if the party concerned fails to identify specifically any erroneous conclusion of law or statement of fact for the appeal. The director determined that the proffered position was not a specialty occupation, and that the beneficiary was not qualified to perform the duties of a specialty occupation. Accordingly, the petition was denied.

On appeal, the petitioner states that H1-B visas have been granted for resident coordinators in the past, and that it would like to submit additional evidence on this issue and the beneficiary's education and experience. The petitioner requested an additional 120 days in which to submit a brief. To date, no brief or additional evidence has been received by the AAO. The record is, therefore, deemed complete.

The petitioner has not identified any erroneous conclusion of law or statement of fact upon which the appeal is based. The appellant must do more than simply ask for an appeal. It must clearly demonstrate the basis for the appeal. This, the appellant has failed to do. As such, the appeal must be dismissed.

**ORDER:** The appeal is dismissed.